

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WINKLEVOSS CAPITAL FUND, LLC, : 18-cv-8250 (JSR)

Plaintiff, :

v. :

CHARLES SHREM, :

Defendant. :

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**AFFIDAVIT OF CHARLIE
SHREM IN SUPPORT OF
OPPOSITION TO MOTION TO
CONFIRM PREJUDMENT
ATTACHMENT ORDER**

(UNREDACTED COPY UNDER SEAL)

I, Charlie Shrem, declare as follows:

1. I have personal knowledge of the factual matters set forth in this affidavit, and if called as a witness, I could and would competently testify as to the truth of them.

2. From 2011 to 2014, I was the founder and Chief Executive Officer of BitInstant, a bitcoin startup. I was also an early adopter in bitcoin.

3. On December 30, 2012, [REDACTED] who I was acquainted with, e-mailed that he wanted to learn how to put bitcoins into a cold storage wallet, which is a method of storing bitcoin offline. That same day, I e-mailed [REDACTED] back agreeing to help.

4. The next day, on December 31, 2012, [REDACTED] e-mailed to ask if he could send 5,000 bitcoins in advance in order “to expedite” our meeting. I agreed, and e-mailed him the address 1Shremdh9tVop1gxMzJ7baHxp6XX2WWRW to send the 5,000 bitcoins to. Attached as Exhibit A is a true and correct copy of my December 30-31, 2012 e-mail exchange with [REDACTED] (and others).

5. That same day, [REDACTED] sent the 5,000 bitcoins to the bitcoin address I specified above. Attached as Exhibit B is a true and correct copy of this transaction as recorded on Blockchain.com.

6. Soon after, [REDACTED] came to BitInstant's office in New York City, and there, I helped set up a new cold storage wallet for him, which created a bitcoin address, 1MQ3K9aPcEDCekpFBGyDAgtD1uPss8E7rY. We then moved his 5,000 bitcoins to that address. I never moved those bitcoins again nor did I ever have access to them again. Attached as Exhibit C is a true and correct copy of this transaction as recorded on Blockchain.com.

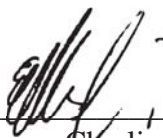
7. I never personally owned the 5,000 bitcoins discussed above, nor have I ever personally owned 5,000 bitcoins all at one time.

8. After I was released from prison, I had a net worth of less than \$100,000 and worked for approximately six months at a restaurant in Pennsylvania. Since working at the restaurant, I have worked a variety of jobs that have allowed me to accumulate funds and to restore myself financially.

9. Before I learned of this lawsuit, I paid a portion of the \$950,000 I owe the federal government as part of my plea agreement in my criminal case that was before this Court. I plan to make installment payments until the full amount is paid off.

I declare under penalty of perjury under the laws of the United States of America and the State of New York that the foregoing is true and correct to the best of my knowledge and belief.

Executed on November 5, 2018, in Sarasota, Florida.



Charlie Shrem